

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

HECTOR N. HUNT,

Plaintiff,

v.

JOHN E. WHITLEY, et al.,

Defendant.

Civil No. 1:21-cv-00762-AJT-MSN

REPORT & RECOMMENDATION

Before the Court is plaintiff's motion for leave to proceed *in forma pauperis*. (Dkt. No. 2).

Plaintiff *pro se* has stated under oath that he receives income of \$4,112.80 per month and his spouse earns \$4,200.00 per month. *Id.* at 1. It appears plaintiff's spouse's income is not anticipated to continue in future months. *Id.* Plaintiff also receives retirement income of \$2,019.00 per month and his spouse receives \$2,000.00 in retirement income per month. *Id.* at 2.

Plaintiff has also reported substantial household expenses, including \$700 per month on clothing, \$400 on dry cleaning, and \$700 on recreation and entertainment. *Id.* at 4. Accordingly, plaintiff does not qualify as indigent for purposes of this motion, and he has failed to demonstrate an inability to pay the required filing fee pursuant to Fed. R. Civ. P. 24.

By means of the Court's electronic filing system and by mailing a copy of this Report and Recommendation to plaintiff at her address for service of process, the plaintiff is notified as follows. Objections to this Report and Recommendation must be filed within fourteen (14) days

of service on you of this Report and Recommendation. Failure to file timely objections to this Report and Recommendation waives appellate review of the substance of this Report and Recommendation and waives appellate review of a judgment based on this Report and Recommendation.

/s/

Michael S. Nachmanoff
United States Magistrate Judge

July 22, 2021
Alexandria, Virginia